



City of Miami Springs, Florida
City Council Meeting

Regular Meeting Minutes
Monday, September 8, 2014, 7:00 p.m.

Council Chambers at City Hall
201 Westward Drive, Miami Springs, Florida

- 1. Call to Order/Roll Call:** The meeting was called to order by the Mayor at 7:13 p.m. Present were the following:

Mayor Xavier M. Garcia
Vice Mayor George V. Lob
Councilman Michael Windrem
Councilman Billy Bain
Councilman Jaime A. Petralanda

City Manager Ronald K. Gorland
Assistant City Manager/Finance Director William Alonso
City Attorney Jan K. Seiden
Police Chief Pete Baan
City Clerk Erika Gonzalez-Santamaria

- 2. Invocation:** Offered by Councilman Windrem.

Salute to the Flag: Students from Miami Springs Elementary lead the audience in the Pledge of Allegiance and Salute to the Flag.

- 3. Awards & Presentations:**

A) Yard of the Month Award for September 2014 – Luis A. Rumayor – 650 Cardinal Street

Mayor Garcia presented a Certificate of Recognition to Luis and Madeleine Rumayor of 650 Cardinal Street in recognition of their home being the Yard of the Month.

- 4. Open Forum:** Persons wishing to speak on items of general city business, please sign the register located on the speaker's stand before the meeting begins.

The following members of the public addressed the City Council: Michael Gavila of 684 Morningside Drive, Marie Mascaro of 125 Whitethorn Drive, Ray Buckner of 970 Plover Avenue, Buzz Fleischman of 810 Pinecrest Drive, former Councilwoman Helen Gannon of 219 Miami Springs Avenue, George Fulmer of 424 De Leon Drive, Bryant Capley of 332 De Leon Drive, Nestor Suarez of 550 Wren Avenue, Donna Hernandez of 769 Pinecrest Drive, Nery Owens of 169 Corydon Drive, Andrew McLees of 111 Curtiss Parkway, Suzanne Medina of 209 Chippewa Street, Linda Collavo of 451 Crescent Drive, Julie Van

Enk of 325 Palmetto Drive, Henry Amor of 540 Raven Avenue, Alex Miranda of 220 Morningside Drive, Blas Cardonne of 1111 Raven Avenue, Joe Galleno of 181 Navajo Street, Fidel Garcia of Siamo Pizza, Mickey Cuesta of 561 Oriole Avenue, Vicente Medel of 330 Morningside Drive, Greg Maestre of 330 Miller Drive and George Valdez of 465 La Villa Drive.

Mayor Garcia recessed the meeting at 8:34 p.m. The meeting was reconvened at 8:59 p.m.

5. Approval of Council Minutes:

- A) August 25, 2014 – Regular Meeting

Minutes of the August 25, 2014 Regular meeting were approved as written.

Councilman Bain moved to approve. Councilman Petralanda seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

6. Reports from Boards & Commissions: None

7. Public Hearings:

- A) Fiscal Year 2014-2015 Budget Recap

Assistant City Manager/Finance Director William Alonso stated that the tentative budget is based on a millage rate of 7.6710, which generates approximately \$167,000 in reserves. Council will consider the final millage rate at the next meeting on September 22, 2014.

B) Resolution - A Resolution Of The City Council Of The City Of Miami Springs Tentatively Approving Fiscal Year 2014-2015 Budget; Confirming Date, Time And Place Of Final Public Hearing

City Attorney Jan K. Seiden read the resolution in its entirety.

Mayor Garcia opened the public hearing to those persons wishing to speak. There were no speakers and the public hearing was closed.

Councilman Bain moved to adopt the resolution. Councilman Petralanda seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

C) Ordinance – 2nd Reading - An Ordinance Of The City Council Of The City Of Miami Springs Amending Code Of Ordinance Section 35.52, Membership; To Provide Any Chief Of Police The Option Of Joining The City's Police And Fireman Pension Plan; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Effective Date

By consensus, Council **agreed** to table the second reading of the ordinance pending the approval of the Retirement Board, a letter from the pension actuary and official notice to the State of Florida.

8. Consent Agenda: (Funded and/or Budgeted)

A) Approval of the City Attorney's Invoice for August 2014 in the Amount of \$13,911.75

B) Recommendation by Golf that Council approve an expenditure to Foot Joy, as a sole source provider, on an "as needed basis," in the amount of \$3,700.00 for golf apparel, gloves and shoes for resale at the golf shop as funds were approved in the FY13/14 Budget, pursuant to Section §31.11 (E)(6)(c) of the City Code

C) Recommendation by Golf that Council approve an expenditure to South Florida Grassing, Inc., the lowest responsible quote, on an "as needed basis," in the amount of \$3,100.00 for 419 Bermuda sod as funds were approved in the FY13/14 Budget, pursuant to Section §31.11(C)(2) of the City Code

D) Recommendation by Building and Code Compliance that Council waive the competitive bid process and approve an expenditure to Orlando L. Blanco, P.E., on an "as needed basis" in the Amount of \$1,000, for Structural Engineer Plan Reviews as funds were approved in the FY13/14 Budget, pursuant to Section §31.11(E) (6)(g) of the City Code

E) Recommendation by Public Works that Council waive the competitive bid process and approve an expenditure to Superior Landscaping and Lawn Services, in an amount not to exceed \$10,357.50, for landscaping work on Curtiss Parkway as funds are available in the FY13/14 Budget, pursuant to Section §31.11 (E)(6)(g) of the City Code. As per an Interlocal Agreement between Miami Springs and Virginia Gardens the amount reflects Miami Springs' half of the quote for the project; quote was obtained by Virginia Gardens.

Nery Owens of 169 Corydon Drive spoke regarding Agenda Item 8E and the agreement with Virginia Gardens for the Curtiss Parkway median.

Councilman Windrem moved to approve the consent agenda. Councilman Petralanda seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

9. Old Business: None

10. New Business:

A) An Ordinance Of The City Council Of The City Of Miami Springs, Amending Code Of Ordinance Section 150-017, Recreational Vehicles; Providing For The Parking And Storage Of Recreational Vehicles In Side Yard Setback Areas Of Residential Properties, Under Certain Conditions, Without The Need For A Variance; Repealing All Ordinances Or Parts Of Ordinances In Conflict; Effective Date

City Attorney Seiden read the ordinance by title. He explained the changes that were made to Code of Ordinance Section 150-017 as it relates to the parking and storage of recreational vehicles.

Councilman Bain moved to approve the ordinance on first reading as amended. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

B) A Resolution Of The City Council Of The City Of Miami Springs Amending The Current Schedule Of Charges For The Use Of City Recreation Facilities And Related Services; Effective Date

City Attorney Seiden read the title of the resolution. He said that the Schedule of Charges was amended to include language stating that disabled children and adults are entitled to the same discounted rate available to senior citizens for any program activity offered to them by the City. All other rates for the disabled will be removed from the schedule.

Councilman Bain moved to approve the resolution with the schedule as amended. Councilman Windrem seconded the motion which was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

C) A Resolution Of The City Council Of The City Of Miami Springs Vacating That Certain Alley Located Between The Properties Located At 630 And 600 Curtiss Parkway And The Property Located At 198 Pinecrest Drive; Providing For The Equal Division Of The Alley Area; Directions To The City Clerk; Effective Date

City Attorney Seiden read the title of the resolution. He explained that the alleyway is not owned or used by the City; it will be divided equally between the property owners and the area becomes part of their legal description for which they pay taxes. In addition, it removes the obligation from the City of maintaining the area between properties that is not functional or used by the City.

Nery Owens of 169 Corydon Drive came forward to speak on the item.

Councilman Windrem moved to approve the resolution. Vice Mayor Lob seconded the motion which was carried 3-2 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, and Mayor Garcia voting Yes, and Councilmen Bain and Petralanda voting No.

D) Recommendation by Staff that Council to reject the responses received to the City's Request for Proposals for Group Medical Coverage for Employees and their dependents (RFP# 04-13/14) and authorize the City Staff and insurance consultant to negotiate alternative plans aimed at lowering the renewal rates provided by Aetna

This agenda item was the first order of business following Open Forum. City Manager Gorland read the title of the recommendation.

Insurance Consultant Bob Shafer stated that the RFP process yielded responses from the current carrier, Aetna, and two self-insured trust arrangements, although self-insured plans were not requested and they are not recommended for the City since there is no statutory protection and they are not financially rated.

Based on the responses, Mr. Shafer said that his recommendation is for the City to remain with Aetna and work to negotiate plans that could lower the renewal rate structure. This will allow the plan to maintain its stability with no disruption to employees and it establishes another year of credibility in the marketplace with a program that is fully insured. He continued to explain the negotiations with Aetna that resulted in alternate plans to reduce the renewal rate by reducing the benefit structure.

Vice Mayor Lob moved to reject the RFP responses and authorize the consultant and City Staff to negotiate with Aetna to lower renewal rates. Councilman Windrem seconded the motion.

In discussion, Mr. Shafer and the City Attorney answered questions regarding the RFP process, healthcare reform, and the benefits of remaining with Aetna.

The motion was carried 5-0 on roll call vote. The vote was as follows: Vice Mayor Lob, Councilmen Windrem, Bain, Petralanda and Mayor Garcia voting Yes.

11. Other Business: None

12. Reports & Recommendations:

A) City Attorney had no report at this time.

B) City Manager Gorland reported that Tom Curtis is holding a community planning session for the 2015 River Cities Festival at 7:00 p.m. at Johnny's Soda Fountain on Wednesday, September 17th. The Festival will be held on April 10 through April 12, 2015. He announced the Miami Springs Airport Area Chamber of Commerce general membership meetings are held the third Thursday each month. He said there is a list of City activities on the City website. He wished Happy Birthday to Councilman Bain.

C) City Council

Councilman Windrem thanked everyone who shared their opinion on the pool, the Building Official and the police. The only comment he takes umbrage with is the accusation of lack of transparency and being an "opaque" Council.

Councilman Petralanda echoed Councilman Windrem's comments in regard to everyone speaking on various issues, including the police, the pool or the Building Department. He thanked everyone for their comments and wished they had come before Council months ago.

Vice Mayor Lob said that Council agrees on the aspect of acquiring citizen input. He feels that this Council and previous Councils have been as transparent as possible. There is a concerted effort to make sure that everyone knows what is going on in the City. As far as the pool and the police issues, the information is on the City website and if there are any questions, the Council members are only a phone call away. He is always available to speak on any issue; the same applies to the City Manager and anyone who works for the City. It is disingenuous to say that Council is not being transparent.

Vice Mayor Lob wished Councilman Bain a Happy Birthday.

Councilman Bain said that he attended many community meetings and it bothers him that the pool is being called a resort pool. The worst comment that was made was that this Council is responsible for killing competition swimming. Parents who want their kids to compete can form a team or take their kids to a facility that allows them to compete.

Mayor Garcia wished Councilman Bain a Happy Birthday. He is happy that people come to speak at the Council meetings and the same concerns that were raised tonight were addressed by people who attended the public meetings and listened to all the facts. The people agreed that what is being proposed is the right idea and they were in support. There will always be people with the same questions or those who hear about the pool for the first time even after the pool is built. He shared a similar story about the Community Center.

To address comments made during Open Forum, Mayor Garcia said that it is important to note that the City of South Miami Pool is a 3,400 square foot pool which is half the size of the proposed Miami Springs' pool and it only holds 90 people. He added that people should not pay attention to sources of information that have no credibility.

Vice Mayor Lob noted that mailers were sent to every single household and only 5% of the surveys were returned. The City Council has been working on the information received through the surveys and from the charrettes. Everyone comes to Council at the last minute just before they are ready to make a decision and this is disingenuous.

Councilman Bain clarified that Council has agreed not to spend more than \$5MM, but they are hoping to pay less. He agrees it is disingenuous for the people who spoke and presented incorrect facts.

Mayor Garcia hopes that people who speak will get the facts beforehand instead of presenting untruths. He added that nothing is final regarding the pool and Council has the opportunity to change their minds, but the fact is that based on the public opinion and the budget they are making the best decision.

Councilman Petralanda commented that Council wants a pool with eight lanes and all the amenities, but cannot afford the expense.

Councilman Windrem said that it is irresponsible to plan a pool that cannot sustain itself.

City Attorney Seiden stated that a number of comments were made about it being less expensive to float a bond than to borrow the funds and this should be part of the fact sheet. There are different types of bonds and the Finance Director should put a question and answer sheet together so that everyone understands.

Councilman Bain said that the residents voted to purchase the Golf Course though a tax free bond and continuing to compare the golf course to the pool is a moot point.

Mayor Garcia reported that September is Childhood Cancer Awareness month. There is a bake sale on Saturday, September 13th at 441 Minola Drive from 10:00 a.m. to 2:00 p.m. to benefit Team Daniella and the Mystic Force Foundation. Daniella is a little girl who was diagnosed with cancer and he hopes everyone will support her by attending the bake sale or making a donation.

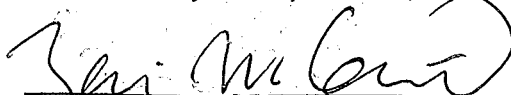
13. Adjournment

There being no further business to be discussed the meeting was adjourned at 10:22 p.m.

Respectfully submitted:


Erika Gonzalez-Santamaria, CMC
City Clerk

Adopted by the City Council on
this 22nd day of September, 2014.


Xavier M. Garcia, Mayor



PURSUANT TO FLORIDA STATUTES 286.0105, THE CITY HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE CITY FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.